

REMARKS

I. SUMMARY OF CLAIMS

Claims 1 – 6 and 9 – 11 were previously presented in the Preliminary Amendment filed on September 28, 2006 (“Preliminary Amendment”).

Claims 7 – 8 are cancelled. Claim 7 is cancelled because the listing of claims, which was filed in the Preliminary Amendment, did not include a claim 7. Claim 8 is cancelled in response to the restriction requirement set forth in the Office Action dated May 1, 2008.

Claims 12 – 20 are added. No new matter is added as a result, since the originally filed application supports claims 12 – 20. Claims 12 – 20 comply with the restriction/election requirement set forth in the Office Action dated May 1, 2008.

Accordingly, claims 1 – 6 and 9 – 20 are currently pending.

II. SUMMARY OF SUBSTANCE OF INTERVIEW

Applicants thank the Examiner for the telephonic interview with the Applicants’ Agent, Jay Q. Knobloch (Reg. No. 57,347) on Tuesday, 29 July 2008. The Examiner’s advice and recommendations are appreciated. During the interview, the Examiner and Applicants’ Attorney discussed the Preliminary Amendment, which was filed on September 28, 2006, and the Restriction/Election Requirement. The Examiner advised Applicants’ Attorney that Group i, as presented in the Restriction/Election Requirement, should include claims 1 – 7 and 9 – 11; whereas, Group ii includes claim 8.

III. RESTRICTION/ELECTION REQUIREMENT DATED MAY 1, 2008

The Office Action dated May 1, 2008 requires election of:

- Group i. Claims 1 – 7, drawn to a lifting device; or
- Group ii. Claims 8 – 11, drawn to a method of adjusting the height of a top part.

Applicants respectfully traverse the restriction requirement on the grounds that group i and group ii are easily searched together. In fact, claims 8 – 11 are not drawn to a method of adjusting the height of a top part. Claim 8 is drawn to a method, and Claims 9 – 11 are drawn to a lifting device. Accordingly, it would be easy to search for group ii, which only

includes a single claim, with group i. Therefore, Applicants respectfully request that the Examiner withdraw the restriction requirement.

However, in order to expedite prosecution, Applicants elect group i, which corresponds to claims 1 – 7 and 9 - 11. Therefore, Applicants cancel claim 8, subject, however, to reinstatement in the event the requirement for restriction is withdrawn or overruled (37 C.F.R. §1.142).

The Office Action dated May 1, 2008 also requires election of:

- species i. Figure 1; or
- species ii. Figure 2.

Applicants elect species i, which corresponds to claims 1 – 7 and Figure 1. The election of the species is made with traverse, in order to preserve the right to petition. The Office Action states that “claim 1 is generic” (page 4). However, claims 1 – 4, 6, and 9-11 in the elected group i read on both species; and thus, are “generic.” Accordingly, upon allowance of any of the generic, Applicants reserve the right to reinstate withdrawn claims.

Applicants note that new claims 12 – 20 are included to elected group i, which was drawn to a lifting device. In addition, new claims 12 – 20 read on both species; and thus, are also “generic.” Accordingly, this Response is fully responsive with the Office Action dated May 1, 2008.

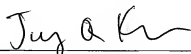
IV. AMENDMENTS TO THE SPECIFICATION

As shown on page 2 of this paper, the specification is being amended. The specification is being amended to include priority information, which was claimed on page 2 of the Declaration and Power of Attorney for Patent Application filed on September 28, 2006. Accordingly, Applicants respectfully request amendment of the specification as shown on page 2 of this paper.

CONCLUSION

If the Examiner is unable to allow claims 1 – 6 and 9 - 20 in the next Office Action and believes that a telephone interview would be helpful to resolve any issues, he is respectfully requested to contact the undersigned.

Respectfully submitted,



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